

Appln. No.: 09/486,625
Reply to Office Action of March 10, 2005

UPAP0008-100

REMARKS

Status of the Claims

Claims 3-5, 7-11 and 18-34 are pending in the application.

Claims 1, 2, 6, and 12-17 were previously canceled.

Claims 4, 5, 9, 11, 19-31, 33 and 34 have been rejected.

Claims 21, 24, 28 and 32 have been objected to.

Claims 3, 7, 8, 10 and 18 have been indicated to be free of the prior art.

By way of this amendment, claims 4, 5, 9, 11 and 19-34 have been amended.

Upon entry of this amendment, claims 3, 5, 7-11 and 18-34 remain pending in the application.

Summary of the Amendment

Claims 21 and 32 have been amended to correctly identify the amino acid at position 44 of SEQ ID NO:1 as being "Glutamic Acid." No new matter has been added.

Claims 21-23 and 32-34 have been amended to be written in independent form to more clearly set forth the subject matter of the claims. No new matter has been added.

Claims 24 and 28 have been amended to be dependent on claim 21.

Claims 4, 25 and 29 have been amended to be dependent on claim 22; claims 9 and 11 have been amended to be dependent on claim 25 and 29, respectively.

Claims 5, 27 and 31 have been amended to be dependent on claim 23; claim 26 and 30 has been amended to be dependent on claim 27 and 31, respectively.

Claim 19 has been amended to be dependent on claim 33.

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Claim 20 has been amended to be dependent on claim 34.

Objection to claims

An objection to claims 21, 24, 28 and 32 has been made for incorrectly referring to the amino acid at position 44 of SEQ ID NO:1. The claims have been amended to correct the obvious error. The correction has been made to claims 21 and 32 to insert the correct amino acid – Glutamic acid; the objected to language has been deleted from claims 24 and 28, which have been amended to be dependent on claim 21. Applicants respectfully request that the objection be withdrawn.

Rejection to claims

Claims 4, 5, 9, 11, 19-31, 33 and 34 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is asserted that the rejected claims do not further limit claim 3, from which they all ultimately depend.

Initially, Applicants respectfully point out that claims 19, 20, 33 and 34 depend on claim 18 which is an independent claim. The manner in which claim 18 is drafted is similar to claim 3 and it is assumed that the same reasoning for the rejection of claims dependent upon claim 3 applies to the rejection of claims 19, 20, 33 and 34 only based upon claim 18.

Applicants respectfully point out that it was not intended for claims 3 and 18 to be interpreted in the manner which the Examiner appears to have interpreted them. Applicants have amended claims 21-23 and 32-34 to be independent in order to facilitate a more clear expression of the subject matter of the claimed invention.

The amended claim set contains eight independent claims: claims 3, 18, 21, 22, 23, 32, 33, and 34.

Claim 7, 8 and 10 remain dependent on claim 3.

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No claims are dependent on claim 18.

Claims 24 and 28 are dependent on claim 21 and in each case add further limitations to the independent claim.

Claims 4, 25 and 29 are dependent on claim 22 and in each case add further limitations to the independent claim. Similarly, claim 9, which is dependent on claim 25, and claim 11, which is dependent on claim 29, further limit the claims from which they depend.

Claims 5, 27 and 31 are dependent on claim 23 and in each case add further limitations to the independent claim. Similarly, claim 26, which is dependent on claim 27, and claim 30, which is dependent on claim 31, further limit the claims from which they depend.

No claims are dependent on claim 32.

Claim 19 is dependent on claim 33 and narrows the independent claim.

Claim 20 is dependent on claim 34 and narrows the independent claim.

As amended, each claim is clear and definite and particularly points out and distinctly claims the subject matter applicants regard as the invention. As amended, the metes and bounds of the claims are clear.

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Conclusion

Claims 3, 5, 7-11 and 18-34 are in condition for allowance. A notice of allowance is earnestly solicited.

Respectfully submitted,



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